

UNITED STATES DISTRICT COURT

DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA	)	
	)	
v.	)	CRIMINAL NO.16-10184-IT
	)	
BRYAN MORAN	)	
	)	

GOVERNMENT'S PROPOSED MEMORANDUM PURSUANT TO LOCAL RULE 116.5(b)

The government submits this proposed memorandum addressing the issues set forth in Local Rule 116.5(b)(1) through (b)(10).<sup>1</sup>

(b)(1)

Automatic discovery has been produced. There are no discovery requests pending.

(b)(2)

Although the large majority of discovery now due to be produced has been produced, the government does expect to produce some additional discovery, including expert discovery.

(b)(3)

The defendant needs time to review the material produced to-date to determine if additional discovery will be sought.

(b)(4)

No protective orders are now necessary.

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<sup>1</sup> The government has not heard back from defendant's counsel whether he approves of the content of this memorandum.

(b) (5)

The parties need additional time to determine if any pretrial motions are anticipated.

(b) (6)

The government should produce expert discovery four weeks before trial. The government requests reciprocal discovery concerning experts which defendant should provide two weeks before trial.

(b) (7)

The defendant does not now anticipate asserting defenses of insanity, public authority, or alibi.

(b) (8)

All time to-date has been excluded under the Speedy Trial Act. In particular, the Court has previously ordered periods of excludable delay from June 22, 2016, the date of Indictment, through September 15, 2016, the date of the Interim Status Conference. (See Docket 31 and 40.) The parties jointly move, in the interests of justice, that a period of excludable delay be ordered from September 15, 2016, the date of the Interim Status Conference, through the date of the next scheduled conference. The defendant needs this time to complete review of the automatic and other discovery produced to-date, to develop

his discovery plan, and to consider the need for any pre-trial motions.

(b) (9)

The parties have not yet engaged in plea discussions. Consequently, it is premature to determine the likelihood of trial. The government estimates that a trial would take approximately one week.

(b) (10)

The parties request that one additional interim status conference be scheduled.

Respectfully submitted,

CARMEN M. ORTIZ  
United States Attorney

By: /s/ Christopher F. Bator  
Assistant U.S. Attorney  
Date: September 14, 2016

CERTIFICATE OF SERVICE

I, certify that I have served a copy of the foregoing upon all counsel of record by electronic filing.

/s/ Christopher F. Bator  
Assistant U.S. Attorney  
Date: September 14, 2016